

## 6 FAM 1940

# MOTOR VEHICLE OPERATORS

(CT:GS-150; 09-26-2005)  
(Office of Origin: A/OPR/GSM)

## 6 FAM 1941 GENERAL

### 6 FAM 1941.1 Authority

(CT:GS-150; 09-26-2005)

- a. The Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 337; 64 Stat. 578; 68 Stat. 1126; 40 U.S.C. 471 et seq.), expresses congressional intent to provide for an economical and efficient system for transportation of *U.S.* Government personnel and property.
- b. Section 211(j) of the Act provides for the establishment of procedures to assure safe operation of *U.S.* Government-owned motor vehicles for official purposes within the *50* States, the District of Columbia, Puerto Rico, and the possessions of the United States.

### 6 FAM 1941.2 Requirements

(CT:GS-150; 09-26-2005)

*Any individual operating a U.S. Government vehicle must have on hand at all times during vehicle operation, a valid State driver's license for the type of vehicle used.*

### 6 FAM 1941.3 Definitions

(CT:GS-150; 09-26-2005)

**Commercial vehicle:** *As defined by the Department of Transportation (DOT), any vehicle (except for emergency response vehicles) with a gross vehicle weight (GVW) of 26,001 pounds or more, vehicles designed to transport 15 or more passengers, and vehicles used in the transport of hazardous materials in quantities which require the vehicle to be placarded.*

**Incidental operator:** Any employee in other than *a motor vehicle* operator position who is required to operate a motor vehicle in order to properly

carry out assigned duties. *Included in this definition are contractor employees required or authorized to operate U.S. Government vehicles under the terms of an existing contract with the Department of State.*

**Motor vehicle operator:** *Any employee of the U.S. Government whose job regularly requires the operation of motor vehicles. This includes chauffeurs, truck drivers, garage employees/drivers, and guard drivers.*

**State license:** A driver's license of the State, District of Columbia, Puerto Rico, or possession in which the employee is domiciled or principally employed for operation of the type of *U.S. Government vehicle* to be used. *For vehicles defined as "commercial," the proper State license is the commercial driver's license (CDL).*

**U.S. Government vehicle:** *Any U.S. Government-owned, commercially leased, commercially rented, loaned or GSA Fleet-leased vehicle under the direct administrative control of the U.S. Government.*

## **6 FAM 1942 QUALIFICATIONS REQUIREMENTS**

### **6 FAM 1942.1 Competitive Operator Positions**

*(CT:GS-150; 09-26-2005)*

Competitive motor vehicle operator positions may be filled by any of the methods normally authorized for filling competitive positions. The requirements include experience, a safe-driving record, a road test, a valid State driver's license *or commercial driver's license (CDL) for the type of vehicle(s) to be operated*, and *a physical fitness exam as defined by the U.S. Department of Transportation (DOT) and promulgated by the Office of Personnel Management (OPM).* (See 6 FAM 1943.1 for information on *physical fitness exams.*)

### **6 FAM 1942.2 Details**

*(CT:GS-150; 09-26-2005)*

An employee may be detailed to a competitive operator position for 30 days or less provided that the employee possesses a valid State driver's license *for the type of vehicle(s) to be operated during the detail period.* For details exceeding 30 days, the employee must meet the requirements applicable to the position to which detailed.

## **6 FAM 1943 PHYSICAL FITNESS REQUIREMENTS**

### **6 FAM 1943.1 Examination by Medical Officer for Current Operators and Applicants for Operator Positions**

*(CT:GS-150; 09-26-2005)*

- a. The Office of Medical Services (*M/MED*) conducts physical examinations of operators *and* applicants for operator positions. *An initial medical physical examination is required for all applicants for operator positions and every two (2) years thereafter for those hired for operator positions.*
- b. The *Office of General Services Management's* Fleet Management Operations Division (*A/OPR/GSM/FMO*) *will issue a blank Form DL-171, Medical Examination Report for Commercial Driver Fitness Determination, to new applicants and current operators, who will hand carry the forms to M/MED at the time designated for the physical examination. Medical personnel will utilize the physical standards defined in the Federal Motor Carrier Safety Regulations to conduct physical examinations and complete the Form DL-171. Based on the results of the examination, the Office of Medical Services will notify the Bureau of Administration's Human Resources Division (A/EX/HRD) and Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) as to whether the individual meets the Federal Motor Carrier Safety Regulations medical requirements for commercial operators.*

### **6 FAM 1943.2 Criteria**

*(CT:GS-150; 09-26-2005)*

*Individuals not meeting Federal Motor Carrier Safety Regulations medical requirements will not be authorized to operate U.S. Government vehicles.* It should be noted that section 2 of the Civil Service Act (22 Stat. 403; 5 U.S.C. 632 et seq.; 40 U.S.C. 42) prohibits discrimination against any person because of any physical handicap with respect to any position the duties of which may be efficiently performed by a person with such a handicap, provided that such employment will not be hazardous to the appointee or endanger the health or safety of fellow employees or others. (See 3 FAM 1512.)

## **6 FAM 1944 DRIVING PRIVILEGES**

### **6 FAM 1944.1 General**

*(CT:GS-150; 09-26-2005)*

*U.S. Government vehicles are authorized for use only by authorized individuals, and only in the performance of official Department of State business or functions. Operators of U.S. Government vehicles must adhere to the laws of the local city, county and State where the vehicle is operated, as well as to Department rules, regulations and guidelines. U.S. Government vehicles must be operated in a safe, fuel-efficient manner at all times in order to:*

- (1) Extend the useful service life of U.S. Government vehicles;*
- (2) Reduce potential liability claims against the U.S. Government; and*
- (3) Assist the Department in meeting petroleum fuel-use mandates.*

*Failure to do so could lead to suspension or revocation of operator driving privileges.*

### **6 FAM 1944.2 Causes for Suspension or Revocation**

*(CT:GS-150; 09-26-2005)*

*a. The following **infractions** are among those **constituting** sufficient **cause** for **adverse action against operators and incidental operators**:*

- (1) The **individual** is convicted of operating a motor vehicle under the influence of alcohol or narcotics;*
- (2) **The individual is involved in a motor vehicle accident and, after investigation, is found to be at fault or** the **individual** is convicted of leaving the scene of an accident without making self known;*
- (3) The **individual** fails to meet **appropriate** physical/**medical** standards **as determined by a Federal medical officer**;*
- (4) The **individual** is convicted of **a moving violation**;*
- (5) **The individual utilizes a U.S. Government vehicle for unofficial or unauthorized purposes**;*
- (6) **The individual operates the motor vehicle in an improper, illegal, or dangerous manner**;*
- (7) **The individual fails to comply with local jurisdiction laws or Federal/Department policies, guidelines, orders, or instructions related to safe or efficient operation of the vehicle (such as use of***

- nonhands-free electronic devices while operating the vehicle, smoking/eating/drinking in vehicles, failure to utilize seat belts, failure to utilize alternate fuels when available, etc.);*
- (8) The individual causes damage to a U.S. Government vehicle through operator abuse or neglect; and*
  - (9) The individual fails to notify supervisor of any of the infractions listed above within three business days of the incident.*
- b. The suspension or revocation of an employee's State driver's license is automatic cause for immediate suspension or revocation of that employee's U.S. Government vehicle driving privileges; as a minimum, the employee's driving privileges will be suspended or revoked for the same period of time that the employee's State license is suspended or revoked. Operating privileges for individuals with a restricted license (for example, a license that only allows the holder to drive to/from work or only during daylight hours) will be addressed on a case-by-case basis.*
- c. All of the stipulations cited in this section pertain equally to contractor employees operating U.S. Government-furnished vehicles under the specifications of a contract. In these cases, the cognizant contracting officer/designee has the responsibility for oversight of contractor employees and enforcement of regulations contained in 6 FAM 1944.*

## **6 FAM 1944.3 Authority and Procedures**

*(CT:GS-150; 09-26-2005)*

- a. Due to liability concerns, the decision to suspend or revoke an individual's U.S. Government vehicle driving privileges applies regardless of whether an infraction occurred while operating a U.S. Government vehicle or while operating a nongovernment vehicle.*
- b. It is every employee's responsibility to notify his or her supervisor of any infractions listed in 6 FAM 1944.2 prior to operation of a U.S. Government vehicle. Upon such notification from the individual, the supervisor will discuss the situation with the vehicle custodian, and render a determination on whether or not the employee should be allowed to operate the vehicle, based upon the facts at hand.*
- c. Either the vehicle custodian or the involved employee's supervisor may suspend or revoke that individual's driving privileges based on the criteria in 6 FAM 1944. However, the final authority to suspend or revoke driving privileges rests with the vehicle custodian, as the custodian is ultimately responsible for the vehicle; such actions, if formalized, should be coordinated with the cognizant human resources office.*
- d. Any employee found operating a U.S. Government vehicle while his or her privilege to do so is in a revoked or suspended status, shall be referred to*

*the cognizant human resources office for appropriate administrative action.*

## **6 FAM 1944.4 Reinstatement**

*(CT:GS-150; 09-26-2005)*

*The final authority to reinstate an individual's privilege to operate a U.S. Government vehicle rests with the vehicle custodian, normally after consultation with the affected employee's immediate supervisor. The decision to reinstate privileges may be based on successful completion of a road test, written test, medical exam, and other means deemed appropriate by the custodian to ensure the employee will operate U.S. Government vehicles in a safe, legal manner upon reinstatement. In no case will driving privileges for U.S. Government vehicles be reinstated while the individual's State driver's license is suspended or revoked. Vehicle custodians must formally notify the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) of all driving privilege suspensions, revocations, and reinstatements within two business days.*

## **6 FAM 1945 ASSIGNMENT OF VEHICLES**

### **6 FAM 1945.1 Vehicle Requests**

*(CT:GS-150; 09-26-2005)*

- a. Department vehicles may be assigned to a specific *office* upon request. The request must be in writing *to the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO)* and be signed by the executive director of the office *to which the vehicle will be assigned*. The request must contain the following:
  - (1) Justification, *to include*:
    - (a) *Description of the intended* use of the vehicle;
    - (b) *Special requirements (i.e., cargo/passenger capacity, special lights, radio, telephone, etc.)*;
    - (c) Approximate mileage per month;
    - (d) Where the vehicle will be based;
    - (e) When the vehicle is needed;
    - (f) Approximate length of assignment;
    - (g) Accounting information for billing purposes;
    - (h) Type of vehicle required; and

- (i) Person having direct responsibility for the vehicle (including individual's job title, office symbol, and telephone number); and*
- (2) A statement that:*
  - (a) The vehicle will only be utilized for official business;*
  - (b) Only authorized and properly licensed individuals will be allowed to operate the vehicle;*
  - (c) Adequate parking space is available at the location where the vehicle will be garaged; and*
  - (d) Existing shuttle bus systems will not meet mission requirements.*
- b. Requests for larger, less fuel-efficient vehicles (such as Class IV sedans (see 6 FAM 1945.2), sport utility vehicles (SUVs) and heavy-duty 4-wheel drive trucks) must be accompanied by sufficient justification to warrant assignment; the written request must state why a smaller, more fuel-efficient vehicle and/or an alternate fueled vehicle (AFV) will not meet mission requirements.*
- c. Vehicle assignment requests not meeting the criteria described in this section will be held in abeyance until all required information has been provided.*

## **6 FAM 1945.2 Issuing Authority**

*(CT:GS-150; 09-26-2005)*

- a. The Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) will evaluate vehicle assignment requests and assign vehicles based on a determination of sustained, mission-essential need. In some cases, A/OPR/GSM/FMO may disapprove a request and suggest alternate means of mission accomplishment (such as through use of existing shuttle bus services). Or, A/OPR/GSM/FMO may disapprove the specific type of vehicle requested, but may approve a different type of vehicle after evaluation of all cost, fuel efficiency, regulatory compliance, and mission criticality factors. Vehicle assignments will only be authorized for services considered to be in the best interest of the U.S. Government, which includes consideration of Federal Government-wide mandates for increasing overall fuel efficiency and decreasing petroleum fuel use.*
- b. Chapter 102 of the Federal Management Regulation (FMR), Subchapter B, Part 102-34, places various size restrictions on the purchase and lease of motor vehicles. Specifically, vehicles must be selected to achieve maximum fuel efficiency, and motor vehicle body size, engine size and*

*optional equipment must be limited to what is essential to meet the agency's mission. The FMR specifically limits the purchase and lease of sedans to midsize (Class III) sedans and smaller, unless the purchase or lease of higher cost, lower fuel efficiency large sedans (Class IV) is essential to the agency's mission. Due to these restrictions, as well as to generally negative public opinion on the use of large sedans by U.S. Government officials, the assignment of large Class IV sedans is strictly controlled within the Department of State. As a matter of Department policy, the Bureau of Administration's Deputy Assistant Secretary for Operations (A/OPR) must formally approve all Class IV sedan assignment requests in advance. Generally, A/OPR will only consider Class IV sedan assignment requests for use by the Executive Motor Pool and for positions at the Under Secretary level (or equivalent) and above.*

## **6 FAM 1945.3 Involuntary Withdrawal of Assigned Vehicle**

*(CT:GS-150; 09-26-2005)*

Vehicle assignments *may* be terminated by *the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO)* for any of the following reasons:

- (1) Insufficient utilization. *If utilization is low and it is determined that the mission could be accomplished through other more cost-effective means such as temporary rental; or*
- (2) *Improper care and/or use of the assigned vehicle, including failure to deliver the vehicle to vendors for scheduled maintenance or inspections in accordance with established due dates; or*
- (3) *Failure to comply with administrative guidelines established by the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) for operation of the vehicle; or*
- (4) *Failure to provide operational data, such as fuel use, oil consumption, and odometer readings, as prescribed by A/OPR/GSM/FMO; or*
- (5) *Failure to submit vehicle assignment justification statements to A/OPR/GSM/FMO during the required annual vehicle inventory reconciliation process.*

## **6 FAM 1945.4 Right of Appeal**

*(CT:GS-150; 09-26-2005)*

Any office having a vehicle assignment terminated under 6 FAM 1945.3 may appeal the termination to *the Bureau of Administration's Deputy Assistant Secretary for Operations (A/OPR)*. The office filing the appeal must present evidence showing why the termination should be reversed, or that corrective action has been taken regarding the infraction. *There is no further right of appeal if* a vehicle assignment *is* terminated on three separate occasions for the same infraction.

## **6 FAM 1946 THROUGH 1949 UNASSIGNED**